

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.97 OF 2007

IN

CRIMINAL APPEAL NO.111 OF 2007

Shivdas @ Shivcharan Rambir  
Chauhan

...Applicant.

**Versus**

State of Maharashtra

...Respondent.

Mrs.Anjali Patil, Adv. for Applicant.  
Ms.S.V.Gajre, APP, for State.

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**CORAM : SMT.V.K.TAHILRAMANI, J.**

**DATED : 6th March, 2007.**

**P.C.:**

1. Heard the learned Advocate for the Applicant-Origin accused and the learned APP for the State.

2. The applicant has been convicted under Sections 363 and 376 of IPC. The maximum sentence imposed on the applicant is RI for seven years. The applicant is now seeking bail.

3. The learned Advocate for the applicant has submitted that the applicant was on bail during the trial and he has not misused the liberty granted to him. This statement is not

controverted by the prosecution.

4. The learned Advocate for the applicant has further submitted that admittedly the applicant was about 17 years & 3 months old at the time of the incident. There was a love affair between the applicant and the prosecutrix and on account of that the prosecutrix went with him to New Delhi where she stayed with him for a number of weeks. The learned Advocate for the applicant has further pointed out that as per the medical evidence, the age of the prosecutrix was 15 to 16 years.

5. Looking to the above facts and evidence, I am inclined to release the applicant on bail.

6. The applicant to be released on bail in the sum of Rs.15,000/- with one or two sureties to make up the said amount. The applicant shall report to R.C.F. Police Station once in a month, till the disposal of his Appeal.

7. Application is disposed of accordingly.

.. (3) ..

(SMT.V.K.TAHILRAMANI, J.)